

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:23-cv-00180-GCM**

| | | |
|----------------------------------|---|---------------------|
| LONNIE DOUGLAS SIMMONS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | <u>ORDER</u> |
| |) | |
| CLEVELAND COUNTY MEDICAL, |) | |
| |) | |
| Defendant. |) | |
| |) | |

THIS MATTER is before the Court on Plaintiff's recent filing in this matter. [Doc. 14].

Pro se Plaintiff Lonnie Douglas Simmons ("Plaintiff") is a prisoner of the State of North Carolina currently incarcerated at Johnston Correctional Institution in Smithfield, North Carolina. On July 18, 2023, Plaintiff filed this action pursuant to 42 U.S.C. § 1983. [Doc. 1]. On September 13, 2023, Plaintiff's Complaint failed initial review and the Court allowed him 30 days to file an Amended Complaint properly stating a claim for relief. [Doc. 13]. Now before the Court is Plaintiff's unsigned submission to the Court, in which he asks the Court "to send [him] a copy of all the rules and Procedures that [he] must follow in this case" and for "[t]he name of the hospital in Concord NC where and wend they did [his] surgery," for advice on "how [he goes] about getting a copy of all [his] records from Cleveland Co," including "the time and dates that [he] went to the hospital," and "the time and date [he] went and left Central Prison for Medical." [Id. (errors uncorrected)]. The Court will strike Plaintiff's unsigned filing. See Fed. R. Civ. P. 11(a). Moreover, the Plaintiff is admonished that it is not the duty or province of this Court to advise the Plaintiff on how to prosecute this case, including how to obtain discovery. Plaintiff is referred to the Order of Instructions [Doc. 3] in this case and advised that he may

submit a proper request to the Clerk for a copy of the Local Rules of this Court for a pre-paid fee of \$10.00. Also, if this case passes initial review and after Answers are filed, the Court will enter a Pretrial Order and Case Management Plan setting forth various deadlines in this matter and orders relative to the conduct of discovery.

Plaintiff is cautioned that, if he files further improper letters or other filings in this matter, they may be summarily stricken.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's filing [Doc. 14] is hereby
STRICKEN from the record in this matter

IT IS SO ORDERED.

Signed: September 20, 2023



Graham C. Mullen
United States District Judge

